



**RECOMMENDING COMMITTEE AGENDA**  
**RECOMMENDING COMMITTEE MEETING OF: JUNE 16, 2003**

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

**MINUTES:**

PRESENT: COUNCILMEN WEEKLY and MACK

COUNCILWOMAN MONCRIEF was also present to observe the meeting.

Also Present: DEPUTY CITY MANAGER STEVE HOUCHENS, CHIEF DEPUTY CITY ATTORNEY VAL STEED, CITY CLERK BARBARA JO (RONI) RONEMUS, and DEPUTY CITY CLERK GABRIELA S. PORTILLO-BRENNER

ANNOUNCEMENT MADE – meeting noticed and posted at the following locations:

Las Vegas Library, 833 Las Vegas Boulevard North

Senior Citizens Center, 450 E. Bonanza Road

Clark County Government Center, 500 S. Grand Central Pkwy

Court Clerk's Bulletin Board, City Hall

City Hall Plaza, Posting Board

(4:04 – 4:05)

**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: JUNE 16, 2003**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**NEW BILL:**

**Bill No. 2003-55** – Annexation No. ANX-1843 – Property location: On the southeast corner of Cheyenne Avenue and Rowland Street; Petitioned by: Jerry and Kathleen Trenberth; Acreage: 0.77 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Lawrence Weekly

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the southeast corner of Cheyenne Avenue and Rowland Street. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (July 11, 2003) is set by this ordinance.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2003-55 and Location Map

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2003-55 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED advised that the bill is in order.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:05 – 4:06)

**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: JUNE 16, 2003**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**NEW BILL:**

**Bill No. 2003-56** – Annexation No. ANX-2016 – Property location: On the southeast corner of Fort Apache Road and Alexander Road; Petitioned by: C. W. Fourth Family L.P.; Acreage: 2.70 acres; Zoned: R-E (County zoning), U (L) (City equivalent). Sponsored by: Councilman Larry Brown

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the southeast corner of Fort Apache Road and Alexander Road. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (July 11, 2003) is set by this ordinance.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2003-56 and Location Map

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2003-56 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED indicated that the bill is in order.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:05 – 4:06)

**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: JUNE 16, 2003**

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**DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILL:

**Bill No. 2003-57** – Allows the slaughter and processing of live poultry by means of special use permit in the C-1, C-2, and C-M Zoning Districts, and as a permitted use in the M Zoning District. Proposed by: Robert S. Genzer, Director of Planning and Development

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Under current zoning regulations, the slaughter and processing of animals is limited to the M Zoning District, which is for the district designated for industrial uses. This bill will allow the slaughter and processing of live poultry by means of special use permit in the C-1, C-2, and C-M Zoning Districts, and as a permitted use in the M Zoning District. A special use permit for the use will require compliance with specific conditions that are designed to ensure compatibility of the use.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2003-57

Submitted at meeting: copy of petition in opposition and two newspaper articles

**COMMITTEE RECOMMENDATION:**

**COUNCILMAN MACK recommended Bill 2003-55 be forwarded to the Full Council with no recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

ROBERT GENZER, Director of Planning and Development, explained that this bill was prompted by a request from a specific market located in Ward 3 to include this activity as part of

RECOMMENDING COMMITTEE MEETING OF JUNE 16, 2003

City Attorney

Item 3 – Bill No. 2003-57

**MINUTES – Continued:**

their daily routine. If approved, the bill would allow the use in any market-type establishment located on C-1, C-2 or C-M zoned property, by means of a special use permit and permitted outright in an M zoned district. It is a slight misnomer to use the word slaughter and processing.

He reviewed the conditions that would be imposed on such a special use permit. Slaughter may be considered a harsh term. The conditions would restrict the use to chickens only, could not be located closer than 1,500 feet to any other facility for the same purpose and could only be an accessory use to a retail commercial establishment. Additional conditions would limit the sale of poultry to retail sales after processing, no live poultry could be sent from the location to another site for off-site sales and poultry must be stored within an enclosed structure in accordance with all federal, state and local regulatory criteria. A key condition would limit the maximum number of birds to 50 at any one location at any one time. The delivery and unloading of live poultry would have to be in a designated sealed loading dock and be restricted between the hours of 8:00 a.m. and 8:00 p.m. There is a condition requiring the exterior and interior of the processing facility be kept in an attractive, safe and sanitary condition at all times. All on-site activity must be conducted so as not to create noise, dust, debris, odors or other similar nuisances to the surrounding properties. The area of actual slaughtering and butchering within the facility shall not exceed 525 square feet and shall be located in an area that is not readily available to the public. All waste removal shall take place only between the hours of 8:00 a.m. and 8:00 p.m. No slaughtering or butchering waste of any kind may be stored outside at any time. Glass viewing areas used for customers for bird selection shall be installed at a minimum 48 inches above floor level, so there will be a requirement that at least four feet to the ground is covered. No live poultry shall remain onsite over night. Any live poultry not sold by 4:00 p.m. would have to be slaughtered at that time, processed and packaged for sale with other poultry products. Lastly, the processing facility must be landscaped and screened as required in connection with any approved site plan review. Staff feels the bill is in order and recommends approval, subject to the aforementioned conditions:

RON COLEMAN, 830 Lamb Boulevard, questioned the rezoning of this property when the same zoning exists a mile away at Cheyenne. He suggested the use take place in the industrial park. MR. GENZER explained that while a specific location prompted the request, the bill would apply to the entire City and is, in fact, not site specific. Even if the bill is approved, the market in question would have to apply for the special use permit, go through the public hearing process before Planning Commission and City Council and the Council would then make a determination as to whether that particular location is appropriate. At that time, the Council could take into consideration other locations within the vicinity similarly zoned.

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Item 3 – Bill No. 2003-57

**MINUTES – Continued:**

ELAINE LINDBLOOM, 4911 East Wyoming Avenue, thanked the Committee for the opportunity to speak on a matter that could negatively impact the quality of life for many in the City of Las Vegas. She urged denial of this amendment. Many of the potential places where this would take place are adjacent to residential properties. Even small slaughterhouses cause intolerable pollution.

LINDA FASO, 34 Congressional Court, appeared on behalf of MARILYN and TERRY CHIRA, 721 Ann Drive. She respectfully requested this bill not be approved. They are especially concerned with the diseases associated with this type of slaughter and processing facilities. There has been an outbreak of Newcastle disease within a year. Birds can carry the virus without showing symptoms. Traffic control is critical to prevent its spread. Supermarket slaughterhouses would only add to the chances of another outbreak and the risk is not worth it. She questioned monitoring of the conditions stated. Too many questions remain. It sets a precedent for slaughter of other animals.

STACIA NEWMAN, 8635 West Sahara Avenue, indicated that the use is permitted in industrial zoning that is isolated and controlled. Most commercial zoning is surrounded by residential properties and the use would create a public health hazard. Her research with the Health Department, City staff and personal investigation revealed that the people do not want this. The Council's responsibility is to represent the best interests of the people at all times. She agreed to submit a copy of the petition of those opposed to the proposal. She concurred with the questions regarding supervision and monitoring. The Health Department advised that people can carry many of the diseases out of the facility and spread it to the children of customers. This particular location is near six schools. She informed the Committee that many people in the neighborhood were unaware of the pending bill, but everyone she spoke to opposed it 100 percent.

TODD FARLOW, 240 North 19<sup>th</sup> Street, stated that Stewart's Market in his neighborhood has been processing game and chicken for over 60 years without incident. He questioned how that market was able to operate and urged that they be allowed to continue to do so. While he lived in the Oakland area, there was an Asian store right below him where there was never a problem for his five-year tenancy. It may even be educational for children to understand where food comes from.

COUNCILMAN MACK commented that he examined the proposed mechanics of the market involved and was impressed. This is a cultural and ethnic issue, which he also saw while living in Los Angeles and the Dallas/Austin area. He eats kosher chickens on occasion, which require special processing. If processed correctly, in a lab-type of environment, the process is acceptable

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City Attorney

Item 3 – Bill No. 2003-57

**MINUTES – Continued:**

and even prevents salmonella. The Health District has inspectors. As for odor, any supermarket, especially around the dumpsters, is unattractive. This waste will actually be disposed of better than standard market garbage. Based on how controversial this item will be, he felt the recommendation should not come from two members of the Council, but from the entire Council.

COUNCILMAN WEEKLY discussed with MR. GENZER that the Liborio Market would be immediately adjacent to residential property. COUNCILMAN WEEKLY concurred with COUNCILMAN MACK and MR. FARLOW about the processing needing to occur somewhere, but there has to be consideration for residential properties. For many who are not educated on the process, there needs to be more education. However, he agreed it should go forward to full Council without recommendation. Even though this would apply to the full City, he expressed doubt that a request would ever come forward for Wards 2, 4 and 6. He urged the speakers to attend the City Council meeting and present their respectful comments.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:06 – 4:27)

**1-61**

**RECOMMENDING COMMITTEE AGENDA  
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CITIZENS PARTICIPATION: ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

**MINUTES:**

AL GALLEG0, citizen of Las Vegas, provided a history of the special use permit application process. Even if the bill is adopted by the Council, the markets will have to seek approval through the Planning Commission. It is a long process. He urged the citizens to come to the Planning Commission meetings. It can be stopped. In other countries, the markets are outside and include slaughter of all kinds of animals. There is no smell and it is very clean. His neighbors had a pig roast outside last week and it was wonderful. There is a turkey processing plant in Las Vegas and it is clean.

(4:27 – 4:29)

**1-742**

STACIA NEWMAN introduced WINNIE, who appeared representing a number of senior citizens who have difficulty attending, and explained that many who oppose this bill cannot participate. COUNCILMAN WEEKLY recommended that they contact MS. ARRINGTON from COUNCILMAN REESE'S office so that accommodations can be explored. A lack of participation and input indicates to the Council that no one is opposed.

(4:29 – 4:31)

**1-826**

COUNCILMAN WEEKLY thanked COUNCILMAN MACK for his service to the Recommending Committee. COUNCILMAN MACK has been assigned to a new committee and COUNCILWOMAN-ELECT MONCRIEF will be joining COUNCILMAN WEEKLY on the Real Estate and Recommending Committees.

(4:05)

**1-13**

**THE MEETING ADJOURNED AT 4:31 P.M.**

Respectfully submitted: \_\_\_\_\_

GABRIELA S. PORTILLO-BRENNER, DEPUTY CITY CLERK  
July 1, 2003